



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,618	09/10/2003	Gregory B. Arasmith	020102-002-CIP	5555

30184 7590 04/21/2004

MYERS & KAPLAN, INTELLECTUAL PROPERTY LAW, L.L.C.
1899 POWERS FERRY ROAD
SUITE 310
ATLANTA, GA 30339

EXAMINER

RICCI, JOHN A

ART UNIT	PAPER NUMBER
----------	--------------

3712

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/659,618

Applicant(s)

ARASMITH, GREGORY B. *PL*

Examiner

John Ricci

Art Unit

3712

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-20, 23-31, 33 and 34 is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-9, 12-14, 21, 22 and 32 is/are rejected.
- 7) ☒ Claim(s) 5, 10 and 11 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Art Unit: 3712

This application includes two claims numbered 22; the numbering of claims above 22 has been increased by 1.

* * * * *

The drawings are objected to because shaft 30 (page 16, line 19), and bearing assembly 100 (page 19, line 20) are not shown. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

* * * * *

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6-8, & 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carrizosa 5,257,809 in view of Romeka 2,684,852.

Carrizosa shows an arrowhead with curved blades, which are attached to the arrow head by means of lugs/cutouts 401f, and which is rotatably attached to an arrow, but it is not clear if the blades increase in width along a leading

Art Unit: 3712

edge. Romeka shows that blades of an arrow may have a small width at tip 3, which increases along the edge, note figure 3. This allows the arrow to have greater penetrating ability at the tip. It would have been obvious to one of ordinary skill in the art to provide the arrow head of Carrizosa with a blade that increases in thickness, as suggested by Romeka.

With regard to claim 2, the pitch of 11.3 appears to be an arbitrary number; applicant does not indicate this is critical or was chosen for any particular purpose.

Claims 1-3, & 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tone 4,534,568 in view of Romeka.

Tone shows an arrowhead with curved blades, which is rotatably attached to an arrow by means of an insert 25, but it is not clear if the blades increase in width along a leading edge. Romeka shows that blades of an arrow may have a small width at tip 3, which increases along the edge, note figure 3. This allows the arrow to have greater penetrating ability at the tip. It would have been obvious to one of ordinary skill in the art to provide the arrow head of Tone with a blade that increases in thickness, as suggested by Romeka.

With regard to claim 2, the pitch of 11.3 appears to be an arbitrary number; applicant does not indicate this is critical or was chosen for any particular purpose.

Art Unit: 3712

Claims 21 & 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carrizosa.

Carrizosa shows an arrowhead with curved blades, but it is not clear if the pitch is 11.3. however, the pitch of 11.3 appears to be an arbitrary number; applicant does not indicate this is critical or was chosen for any particular purpose; one may determine through routine experimentation that a pitch of 11.3 provides desirable flight characteristics.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 32 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Maleski 5,145,186.

* * * * *

Claims 15-20, 23-31, 33, & 34 are allowed.

Claims 5, 10, & 11 are objected to as being dependent upon a rejected base claim, but would be allowable if

Art Unit: 3712

rewritten in independent form including all of the limitations of the base claim and any intervening claims.

With regard to claims 15, 23, 31, 33, & 34 the prior art does not disclose a rotatable mount for a broadhead, including a bearing insert and retaining cap.

* * * * *

This letter was prepared by Examiner John Ricci, who can be reached at:

Voice: 703-308-4751

Fax: Use 703-872-9306 for papers to be delivered directly to the mail room, like formal amendments and responses, change of address, power of attorney, petitions.

Art Unit: 3712

Use 703-783-0439 for papers to be delivered directly to the Examiner, like informal or proposed responses for discussion, or notes in preparation for an interview.

Response by Fax is encouraged to reduce mail processing time. Please don't send duplicate papers by mail and Fax.

My supervisor is Derris Banks, 703-308-1745.

PTO main switchboard: 800-786-9199.

Visit our Web site at www.uspto.gov.

John Ricci

**JOHN RICCI
PRIMARY EXAMINER
ART UNIT 3712**